

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67859 of 2024

Arising Out of PS. Case No.-227 Year-2024 Thana- DUMRAO District- Buxar

GOLDEN KUMAR KHARWAR S/O- LATE BHAGELU KHARWAR
Village- Barka Angana Dumraon Ps- Dumraon Dist- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dr.Kamal Deo Sharma
For the Opposite Party/s : Mr.Rajendra Nath Jha

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 224-10-2024
1. Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.

2. This application, for grant of anticipatory bail, arises out of Dumraon Police Station Case No. 227 of 2024, dated 25.06.2024, disclosing offences punishable under Sections 323/341/307/354/504/506/379/34 of the Indian Penal Code.

3. The prosecution case, as per the complaint -cum- First Information Report, is that in the afternoon of 24.02.2024, while the informant was sitting at his shop, he was informed by his sister that the petitioner has entered into his house in drunken condition and was molesting the informant’s sister. It has further been alleged that when the informant reached home, the petitioner assaulted him

by means of iron-rod on his head.

4. Learned Counsel for the petitioner submits that the present case has been lodged in retaliation of Dumraon Police Station Case No. 63 of 2024, lodged by the petitioner against the informant and his family members, under Sections 147/148/149/354/354-A/323/341/308/504/506 of the Indian Penal Code. There is inordinate delay in filing the complaint inasmuch as the occurrence has allegedly taken place on 24.02.2024, but the complaint has been filed on 08.03.2024. There is no explanation of delay in filing the complaint. The injury caused to the informant is simple in nature, as would be evident from the impugned order itself.
5. Regards being had to the submissions advanced on behalf of the parties and taking into consideration the fact that there is case and counter case, there is delay in filing the complaint and the injury caused to the informant is simple in nature, I am inclined to grant the petitioner privilege of anticipatory bail.
6. This application is, accordingly, allowed.
7. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of

four weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Buxar, in connection with Dumraon Police Station Case No. 227 of 2024, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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